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THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOHN PEROTTI,

Petitioner,

v.

HAROLD CARTER, WARDEN,

Respondent.

Case No. C-1-00-527

JUDGE SUSAN J. DLOTT

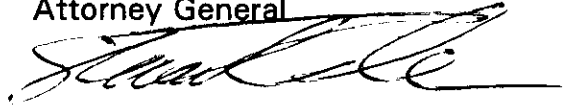
MAG. JUDGE SHERMAN

RESPONSE TO PEROTTI MOTION FOR RELIEF FOR JUDGMENT

Apparently disenchanted by his arrest for his most recent crimes, Perotti is now demanding a release from judgment in this habeas action. However, since the issues in this habeas action were limited to Perotti's contention that he was unconstitutionally denied parole in 1998, Perotti's capture for additional crimes has absolutely nothing to do with this case, and his motion must be denied. Moreover, assuming *arguendo*, that Perotti had a legitimate basis to seek relief from judgment, this Court no longer has jurisdiction over this case as a consequence of Perotti's pending appeal from the denial of this habeas action in the Sixth Circuit Court of Appeals. Perotti's *Motion for Relief from Judgment* must therefore be denied.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing
Response to Perotti Motion for Relief from Judgment was sent via regular
U.S. Mail, to John Perotti, #0076251, P.O. Box 5600, Cleveland, Ohio
44101, on this 28th day of August, 2003.



STUART A. COLE
Assistant Attorney General